

PATENT COÖPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

see form PCT/ISA/220

Date of mailing
(day/month/year)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION

See paragraph 2 below

International application No.
PCT/DE2004/001606

International filing date (day/month/year)
7/22/2004

Priority date (day/month/year)
12/9/2003

International Patent Classification (IPC) or both national classification and IPC
B60R21/01

Applicant

ROBERT BOSCH GMBH

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/

Authorized officer

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Facsimile No.

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EV 322 949 01645

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/DE2004/001606

Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ in written format
☐ in computer readable form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

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Box No. II Priority

1. ☒ The following document has not yet been furnished:

☒ copy of the earlier application whose priority has been claimed (Rules 43*bis*.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rules 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

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International application No.
PCT/DE2004/001606

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>2</u>	YES
	Claims	<u>1,3-7</u>	NO
Inventive step (IS)	Claims	<u></u>	YES
	Claims	<u>1-7</u>	NO
Industrial applicability (IA)	Claims	<u>1-7</u>	YES
	Claims	<u></u>	NO

2. Citations and explanations:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY
(SUPPLEMENTARY SHEET)

International file number
PCT/DE2004/001606

Re Point V.

Reasoned statement with regard to novelty, inventive step and industrial applicability; citations and explanations supporting such statement

- 1 Reference is made to the following documents:
D1: DE 199 63 348 A (VOLKSWAGENWERK AG) July 5, 2001
(2001-07-05)
D2: DE 197 45 309 A (TELEFUNKEN MICROELECTRON) April 22, 1999 (1999-04-22)
- 2 The present Application does not meet the requirements of Article 33(1) PCT, because the object of Claim 1 is not novel as defined by Article 33(2) PCT.

Document D1 discloses (the information in parentheses refers to this document) a device for activating personal protection means, the device being configured in such a way that it activates the personal protection means as a function of a delay between a first signal from an impact sensor system situated in the vehicle front and a second signal from a centrally located acceleration sensor system, the first and second signals each identifying an impact.

The features of Claim 1 are therefore known from document D1.

2.1 Dependent Claims 2 through 7 contain no features which, in combination with the features of any claim to which they refer, meet the requirements of PCT regarding novelty (Art. 33(2) PCT) and inventive step (Art. 33(3) PCT) for the following reasons:

The additional features of dependent Claims 3 through 7 are known from document D1 (see col. 2, line 60 through col. 3, line 31, Figure 1).

The features of dependent Claim 2 have been used in a similar device for the same purpose (see document D2, p. 2, line 5 through line 44). Therefore, it is obvious to those skilled in the art to use these features also in a device according to document D1 with the same effect and thus to arrive at a device according to Claim 2.

Therefore, the object of Claims 3 through 7 is not novel (Art. 33(2) PCT), and the object of Claim 2 contains no inventive step (Art. 33(3) PCT).